

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JENNIFER AGUILAR-MARTINEZ,

Defendant.

Case No: CR 10-0662 SBA

**ORDER ACCEPTING REPORT
AND RECOMMENDATION
REGARDING GUILTY PLEA**

Docket 21

On April 2, 2015, the Court granted the parties' stipulation to refer this matter to Magistrate Judge Donna Ryu ("the magistrate") for entry of a guilty plea. Dkt. 15. On April 9, 2015, the Defendant appeared before the magistrate and, with the assistance of counsel, waived her right to enter a guilty plea before a district judge and instead consented to enter her plea in a hearing before the magistrate. See Dkt. 21. The magistrate conducted a full hearing in the manner set forth in Federal Rule of Criminal Procedure 11. Id. After the advisements set forth in Rule 11, the Defendant entered a guilty plea in open court. Specifically, the Defendant pled guilty pursuant to a written plea agreement to the sole count in the Indictment charging Defendant with a violation of 18 U.S.C. § 751(a) - Escape. Id. The magistrate found that Defendant was fully competent and capable of entering an informed plea, that she was aware of the nature of the charge and the consequences of the guilty plea, and that the guilty plea was knowing and voluntary and supported by an independent factual basis. Id.


On April 9, 2015, the magistrate issued a Report and Recommendation Regarding Guilty Plea in which she recommends that this Court accept Defendant's guilty plea. Dkt.

21. The Report and Recommendation advises the parties that they may serve and file specific written objections to the order within fourteen days after being served with a copy of the order. Id. No written objection to the Report and Recommendation was filed prior to the hearing. At the May 13, 2015 sentencing hearing in this matter, the parties indicated that they have no objection to the Report and Recommendation. Accordingly,

IT IS HEREBY ORDERED THAT the magistrate's Report and Recommendation (Dkt. 21) is ACCEPTED, the Defendant's guilty plea is accepted, and the magistrate's Report and Recommendation shall become the order of this Court.

IT IS SO ORDERED.

Dated: May 13, 2015


SAUNDRA BROWN ARMSTRONG
United States District Judge